

REMARKS/ARGUMENTS

Pending Claims

Claims 1, 12, 13 and 16-25 are pending in this application. Claims 2-11 and 14-15 have been canceled without prejudice or disclaimer. New claims 16-25 have been added. Claims 1, 12 and 13 have been withdrawn.

Claim Rejections under 35 U.S.C. §112

Claims 2-11, 14 and 15 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicants have added new claims 16-25, to replace the claims that have been canceled. In particular, claims 16 and 22 correspond to original claims 2 and 8; and claims 17-21 and 23-25 respectively correspond to claims 3-7 and 9-11. New claims 16-25 have been drafted in compliance with 35 U.S.C. §112, second paragraph. In particular, the claims have been drafted to avoid the rejections as set forth in the Office Action

Claim Rejections under 35 U.S.C. §103

Claims 2-11, 14 and 15 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,409,968 (Takahashi) in view of Japanese patent 02066461 (Tanimizu). Reconsideration of the rejection is requested in view of the newly presented

claims and for the following reasons.

As set forth in claims 16 and 22, the automatic analyzer has a rack standby disk that rotates and stops, and which has a plurality of racks holding specimens that are made to standby thereon. Rack feed and rack recovery lines transfer racks from a rack supply section to the rack standby disk and from the rack standby disk towards a rack recovery section, respectively. The rack transfer means cooperates to transfer racks from the rack standby disk to a specimen sampling position and to return the rack to the rack standby disk. Further, as set forth in claim 16, a control unit controls the transfer of the racks such that when a specific rack, which holds a specific liquid that is repeatedly sampled as necessary, is standing by on the rack standby disk, the rack is kept standing by on the rack standby disk until a subsequent time of measurement. Further, as set forth in claim 22, the control unit controls the transfer of the racks in a manner that after a preceding rack is returned to the rack standby disk from the specimen sampling position, a subsequent rack is transferred via the rack transfer means.

In a preferred embodiment of the invention, the racks, which are shown in Figures 1 and 3, for example, have a plurality of reception chambers into which are charged a plurality of specimen containers. See the description of rack 9 on page 6, lines 15-page 7, line 13 of the specification, for example. The racks in the supply section 3, as shown in Figure 2, are racks for quality control (control racks), calibrator racks, cleaning racks, as well as racks for common specimens. See page 12, lines 5-9 of the specification.

An example of the standby disk 5 is shown in Figures 3 and 4, for example. As shown in Figure 4, racks are fed on to the rack standby disk 5 from a rack feed line 6 at a carry-in

position T1 and are moved to an access position T3 in alignment with a specimen sampling position A1. See page 8, lines 23-27 and page 10, lines 18-27 of the specification, for example. A specimen sampling mechanism 26 uses a pipette nozzle to dispense specimens to the reaction containers 28 from a specimen container 8 held by a rack that is in the specimen sampling position A1. See page 11, lines 12-17 of the specification. While a rack is disposed in a position A1, rotation of the rack standby disk 5 is not impeded, and therefore the rack standby disk 5 can perform its rotating operation for transfer of other racks while the one rack is in the specimen sampling position A1 undergoing treatment. See page 15, lines 1-8 of the specification. After a sampling operation at position A1, the racks are returned to the rack standby disk 5 at position T3 and rotated to a carrying-out position T2 at which the racks are transferred to the rack recovery line 7, as shown in Figure 4.

Takahashi is relied upon for disclosing a automatic analyzer having a reaction disk and sample containers on a sample disk. A computer 12 is provided to control the movement and motion of the disks and the sample pipetting device, etc. However, as recognized in the Office Action, there is no disclosure of a rack standby disk in the Takahashi reference. Accordingly, Tanimizu is relied upon for disclosing a rack standby disk.

Tanimizu discloses an automatic analyzer, however, the reference does not show a rack standby disk, but rather a specimen rack standby section 24 and a rack standby table 73. This means that the automatic analyzer of Tanimizu has to dispense the specimens that are in the racks in the order that they are sequentially supplied from the rack supply section. See Figure 1 of the reference. Accordingly, there is no suggestion of a rack standby disk as in the present

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invention or a suggestion of modifying Takahashi to include such a rack standby disk.

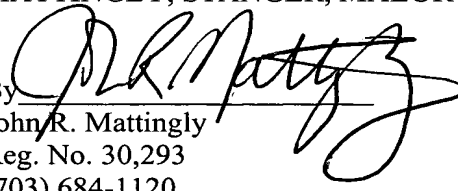
Therefore, the combination of Takahashi and Tanimizu does not render the claimed invention obvious under 35 U.S.C. §103.

Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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